IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 490 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SIDDIK HUSSIEN SULTAN MOHD GORI

Versus

STATE OF GUJARAT

Appearance:

MR G RAMAKRISHNAN for Petitioner

MR BY MANKAD APP for Respondent No. 1

CORAM : MR.JUSTICE H.H.MEHTA

Date of decision: 27/11/2000

ORAL JUDGEMENT

Rule. Service of Rule is waived by Mr. B.Y. Mankad, the learned APP for the revision opponent nos.1 and 2.

2. Heard the learned advocates for both the parties and I have gone through the papers produced before this Court. During the course of arguments, Mr. B.Y.Mankad, the learned APP has drawn an attention of this Court that one Anilkumar Agarwal, A-21, Kalkaji, New Delhi has lodged one complaint dated 24/11/1999 with regard to

theft of his TATA SUMO bearing registration No. DL-4C-E-7163 taken place on 23/11/1999. On the basis of that complaint, F.I.R. has been registered at CR.No.754/99 in Kalkaji Police Station, New Delhi. The complainant has mentioned in his complaint the Chassis No.902118 and Engine No. 701113 of said TATA SUMO alleged to have been stolen away on 23/11/1999. That two numbers i.e. of Chassis number and Engine number exactly tally with Engine number and Chassis number in column No.7 and 8 in xerox copy of certificate of registration for vehicle No.GJ-1-BK-9439 which is at Annexure : A. Annexure A has been issued for vehicle's old No. UP-21-D-607. Thus there are two claimants -one Mr. Gori Siddik Husein Sultan Mohmad i.e. Revision Petitioner and another Mr.Anilkumar Agarwal of Delhi, for the same vehicle of which Chassis and Engine numbers are exactly tallying in R.C.A. books of two vehcles.

2. In view of this, Mr. G.Ramakrishnan, the learned Advocate, for the revision petitioner seeks permission to withdraw this Criminal Revision Application. He submits that he may be granted a permission to move the appropriate court having jurisdiction for getting back the said vehicle.

3. In view of what is stated hereinabove, this Criminal Revision Application stands disposed of as withdrawn with a liberty granted to Revision Petitioner to move appropriate Court for getting back the Muddamal vehicle. In view of this, now this Criminal Revision Application stands disposed of as withdrawn. Rule is discharged.

Date: 27/11/2000. (H.H.MEHTA,J.)
ccshah